

REMARKS

Status of the Application

Claims 1-13 are all the claims that have been examined in the application. Claims 1-3, and 7-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Valero (U.S. App. Pub. No. 2003/0081038) in view of Yamada (U.S. 6,726,302). Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Valero as modified by Yamada and further in view of Williams (U.S. 6,164,749). Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable under 35 U.S.C. § 103(a) over Valero as modified by Yamada and further in view of Butterfield (U.S. 6,685,297). Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Valero as modified by Yamada in further view of Valero (U.S. 6,802,580).

By this Amendment Applicants are amending claims 1 and 11-13.

Claim Rejections under 35 U.S.C. § 103(a)

A. *Claims 1-3, and 7-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Valero (U.S. App. Pub. No. 2003/0081038) in view of Yamada (U.S. 6,726,302).*

Amended claim 1 recites in part, “if it is determined that said adjustment pattern is to be formed again with said liquid ejecting section, then setting again said medium on which said adjustment pattern has been formed to a paper supply section.” The Examiner alleges that Valero teaches all of the elements of claim 1, but concedes that Valero fails to teach or suggest determining whether or not to form the adjustment pattern again with a liquid ejection section. See page 5 of the Office Action. Applicants respectfully disagree.

Valero teaches that a group of ink drops is formed on a medium, and the actual location of the ink drops are then compared to the desired location of the drops. Position calibration is then applied based on this comparison. However, Valero fails to teach or suggest that the medium upon which the adjustment pattern is formed is set again to a paper supply section, and forming said adjustment pattern again in a position that differs ... onto said medium on which said adjustment pattern has been formed and which is supplied from said paper supply section, as recited in amended claim 1.

Further, Yamada teaches a printer which overlays ink drops, but again, Yamada fails to teach or suggest that the medium upon which the adjustment pattern is formed is set again to a paper supply section. Therefore, because neither Valero nor Yamada teaches or suggests all of the elements of amended claim 1, amended claim 1 is patentable over the applied art.

Claims 2, 3 and 7-10 are patentable at least by virtue of their dependency from amended claim 1.

Amended claims 11-13 recite similar limitations to those recited in amended claim 1. Therefore, for reasons analogous to those presented with regard to amended claim 1, amended claims 11-13 are patentable over the applied art.

B. Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Valero as modified by Yamada and further in view of Williams (U.S. 6,164,749).

Claim 4 is dependent from amended claim 1. Because Valero as modified by Yamada fail to teach or suggest all of the elements of amended claim 1, and because Williams fails to

cure the defects noted with respect to amended claim 1, claim 4 is patentable at least by virtue of its dependency.

C. Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable under 35 U.S.C. § 103(a) over Valero as modified by Yamada and further in view of Butterfield (U.S. 6,685,297).

Claim 5 is dependent from amended claim 1. Because Valero as modified by Yamada fail to teach or suggest all of the elements of amended claim 1, and because Butterfield fails to cure the defects noted with respect to amended claim 1, claim 5 is patentable at least by virtue of its dependency.

D. Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Valero as modified by Yamada in further view of Valero (U.S. 6,802,580).

Claim 6 is dependent from amended claim 1. Because Valero as modified by Yamada fail to teach or suggest all of the elements of amended claim 1, and because Valero fails to cure the defects noted with respect to amended claim 1, claim 6 is patentable at least by virtue of its dependency.

Conclusion

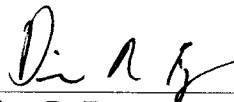
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/764,599

Q79583

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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